

Eric A. Olson  
Chairman  
Chris Oliver  
Executive Director

605 W 4th, Ste 306  
Anchorage, AK 99501  
(907) 271-2809  
(907) 271-2817

[www.alaskafisheries.noaa.gov](http://www.alaskafisheries.noaa.gov)



# News & Notes

North Pacific Fishery Management Council

February 2012

## Election of Officers and new appointments

The Council's Advisory Panel unanimously re-elected Tom Enlow from Unisea as Chair and elected Lori Swanson and Becca Robbins-Gisclair co-Vice Chairs. The Council's Scientific and Statistical Committee re-elected Pat Livingston for chair and Farron Wallace as vice chair. Chairman Olson announced that Joe Rehfluss has been appointed to the Observer Advisory Committee as a representative of active observers, and Dr. Jason Gasper of NMFS has been appointed to the Crab Plan team. Dave Little was appointed to the IFQ Implementation Committee. Welcome aboard!

## Industry Thank You

The Council would like to thank all members of industry and the many sponsors who contributed to the reception given during the Council meeting. Delicious seafood and music were enjoyed by all.



Photo Credit: UCB

## GOA Chinook Bycatch

In December 2010, the Council initiated two sequential amendments to consider bycatch measures for Chinook salmon in the GOA, first for the pollock fisheries, and then for the non-pollock trawl fisheries. These measures included establishing Chinook salmon prohibited species catch (PSC) limits. The Council approved PSC limits for the pollock fishery in June 2011. At this meeting, the Council revised the problem statement and alternatives for moving forward with measures for the GOA non-pollock trawl fisheries. The alternatives propose PSC limits of 5,000, 7,500, 10,000, or 12,500 Chinook salmon for non-pollock groundfish trawl fisheries in the Central GOA and Western GOA management areas. The limits would operate as a "hard cap," whereby NOAA Fisheries would close fisheries if attained. Under options, the overall limit could be apportioned between the two management areas or between operation types (CV/CP), based on historic average Chinook catch rates in the respective areas and operation types. The Council also advanced an alternative for analysis that would mandate full retention of Chinook salmon in these fisheries, to advance biological sampling and genetic identification of Chinook salmon intercepted as bycatch in the groundfish fisheries. Staff contact is Diana Evans.

## Email Comments Now Accepted

On a trial basis, and in time for the March/April meeting, and in response to many requests from the public, the Council will begin accepting email comments at one email address: [npfmc.comments@noaa.gov](mailto:npfmc.comments@noaa.gov). The comments must identify the submitter by legal name, affiliation, and date, and must also identify the specific agenda item by number (C-1(a) for example), and must be submitted by the comment deadline. Comments received under these conditions will be sorted, copied, and included in the Council notebooks. PDF attachments will be accepted, as long as the above criteria are met. Comments received after the deadline will not be copied and distributed, but will be treated the same as written late comments.

Emails submitted for the comments must be to the above address, and not to specific Council staff or Council members.

Additionally, email comments will only be accepted on items that are on the scheduled agenda. While a return receipt will be issued automatically upon receipt of the electronic comment, as always, submitters may always call the office to confirm.

Details will be noted in the agenda, and on our website.

## EFH Consultation

The Council received further information on the NMFS Essential Fish Habitat (EFH) consultation process, following up on a comprehensive report to the Council in December. Under current practice, NMFS notifies the Council, or Council staff, of a pending action that may affect habitats of direct concern to the Council. Nationally, no Councils have developed explicit criteria for when NMFS should inform a Council about EFH consultation issues and seek Council involvement, however, the agency recommended that any criteria that be developed be flexible and fairly broad. The Council asked both the Ecosystem Committee and the State of Alaska to provide input and recommendations on suggested criteria that might apply to consultations resulting in recommendations for mitigation. The original report and the follow-up letter are available at <http://www.alaskafisheries.noaa.gov/habitat/>. Staff contact is Diana Evans.

## GOA Pollock reapportionment

The Council heard a report from staff about the possible benefits to Chinook salmon bycatch and potential challenges with Steller sea lion protection measures with reapportioning Western GOA pollock D-season TAC to the A-, B-, or C-seasons. Due to uncertainty in Chinook bycatch reduction, the potential for competition among CGOA and WGOA fisheries, and the likelihood that a formal consultation under Section 7 of the U.S. Endangered Species Act would be required, the Council elected to take no further action. Staff contact is Steve MacLean.

## Halibut Bycatch

The Council reviewed an initial draft analysis that examined proposed changes to the management of commercial groundfish fisheries in the Gulf of Alaska (GOA). The proposed action would occur through an amendment to the GOA Groundfish Fishery Management Plan to set Prohibited species catch (PSC) limits on removals of Pacific halibut in federal regulations instead of the annual harvest specifications process. In addition to the No Action Alternative, the proposed alternative (Alternative 2) includes options for reductions of a) 5 percent, b) 10 percent, and c) 15 percent of the 2,000 mt halibut PSC limit on trawlers and 300 mt halibut PSC limit on fixed gear groundfish operations.

The Council approved the release of the analysis for public review, with some revisions. The Council requested that the analysts incorporate 1) updated information on Pacific halibut from staff documents from the January 2012 International Pacific Halibut Commission meeting, 2) expanded descriptions of IPHC methods on lost yield, migration, and apportionment of bycatch of halibut among those under 26 inches, between 26 inches and 32 inches, and over 32 inches, and 3) responses to SSC recommendations, as possible.

The Council also made several changes to the range of alternatives, as described below.

1. Add a new suboption under Option 2, Suboption 3 that would allow the Am. 80 sector to roll unused halibut from one season to the subsequent season, similar to the non-Am. 80 sectors.
2. Remove Suboption 3.1, which would apply the full trawl PSC limit reduction to the 5th season only.
3. Add a new suboption under Option 2, Suboption 3 to allow available trawl halibut PSC in the 2nd season deep and shallow water complexes to be aggregated and made available for use in either complex from May 15 through June 30. Halibut PSC sideboards for the Am. 80 and AFA sectors would continue to be defined as deep and shallow water complexes in the second season.

To accommodate the April 2012 schedule for a halibut "bycatch" work shop to be conducted by the Council and International Pacific Halibut Commission and inform the Council on this action, the Council set the date for final action for June 2012. NMFS advised that the likely timeline for implementation is 2014. Jane DiCosimo is the Council contact for this action.

## Halibut / Sablefish IFQ Program

Under its staff tasking agenda, the Council reviewed a paper on the status of four discussion papers for IFQ proposals submitted under the 2009 call for Individual Fishing Quota (IFQ) proposals. These include:

- allowing the retention of 4A halibut incidentally caught while targeting sablefish with pots in the Bering Sea and Aleutian Island regulatory areas;
- allowing the use of pots in the Gulf of Alaska sablefish fishery;
- exploring problem of unharvested halibut IFQ in Area 4; and
- for sablefish, removing the block program A shares and increase the A share only cap

The Council referred discussion of whether to proceed with these discussion papers to the IFQ Implementation Committee, which will convene prior to the next Council meeting. Note that the IFQ committee will also review a discussion paper on vessel monitoring systems that previously had been requested by the Council. The Council will consider the committee recommendations on IFQ discussion papers at its next meeting. But neither the committee nor the Council is considering new IFQ proposals at this time.

The Council also scheduled final action on a previously prepared IFQ amendment to allow halibut IFQ derived from Category D QS to be fished on Category C vessels in Area 4B.

The Council discussed its continued interest in the IPHC halibut stock assessment and expressed its interest in contributing to peer review of the model. The Council acknowledged the strong relationship between the two agencies, as evidenced by the jointly sponsored halibut workshop scheduled for April 24-25, 2012 in Seattle. Information on the workshop is posted on the Council website. Jane DiCosimo is the Council contact for halibut management.



## CQE Program in Area 4B

The Council approved an amendment to establish a Community Quota Entity (CQE) Program in Area 4B of the Aleutian Islands. Adak is the only community in Area 4B which meets the proposed eligibility criteria, which targets small, rural, non-CDQ communities in Area 4B with commercial halibut and sablefish participation. The overall intent of the program is to allow a community non-profit organization to represent Adak for the purpose of purchasing Area 4B halibut catcher vessel quota share (QS), and Aleutian Islands sablefish catcher vessel QS, to promote long-term community access to the commercial halibut and sablefish fisheries.

The Council adopted the preliminary preferred alternative, identified at initial review in October 2011, with two minor changes (the final motion is posted on the Council website). The Council acknowledged that some of the provisions of the Area 4B CQE program are slightly different than those that apply to the program in the GOA, however it was noted that the remoteness of Adak and its unique circumstances warranted minor adjustments to the way the program is applied. Under the Council's preferred alternative, Adak would be allowed to purchase up to 15% of the Area 4B halibut QS pool, and up to 15% of the AI sablefish QS pool. IFQ resulting from the community QS may be leased to individuals that are not residents of Adak for a period of up to five year after the effective date of implementation of the program. After that time, the CQE may only lease IFQ to residents of Adak. Staff contact is Diana Evans.

## AFA Vessel Replacement

At the February 2012 meeting, the Council reviewed a discussion paper on AFA vessel replacement and its potential impacts on the GOA groundfish sideboard fisheries. The Council requested the discussion paper because of AFA vessel replacement language included in the U.S. Coast Guard Authorization Act of 2010 (Act), which was signed into law on October 15, 2010. Specifically, Section 602 of the Act addresses the replacement of vessels eligible to participate in the Bering Sea pollock fishery under the American Fisheries Act.

After reviewing the discussion paper, the Council developed a purpose and need statement and alternatives intended to prevent increased participation in Gulf of Alaska groundfish fisheries by vessels replaced under the Act. The Council's purpose and need statement specifies that the action would be intended to "prevent increased capacity in the Gulf of Alaska fisheries by AFA vessels." To address this intent, the Council developed alternatives to address ambiguities in the Act that might allow for capacity increases of AFA vessels while also increase capacity of those vessels in Gulf of Alaska fisheries. Alternatives under consideration would require replacement or rebuilt sideboarded vessels (which are subject to catch limits in the Gulf fisheries) to comply with either: 1) the most restrictive maximum length overall (MLOA) limit on the vessel's Gulf endorsed licenses at the time of vessel replacement or removal, or 2) the most restrictive maximum length overall (MLOA) limit on the vessel's Gulf endorsed licenses at the time of approval of the Coast Guard Act (October 15, 2010). In addition, the Council requested staff to analyze a rule that would not allow a sideboarded vessel to fish in the Gulf if

its replacement vessel was 10 percent greater in length, horsepower, or tonnage. The Council also adopted an alternative for analysis that would remove any Gulf sideboard exemption from any replacement vessel of length greater than the exempt vessel it replaces. An additional alternative would clarify that any Gulf sideboard exempt AFA vessel that is removed from the AFA fishery without replacement would not be permitted to transfer its exemption (but that the exemption would expire). Staff contact is Jon McCracken.

## Deep Sea Coral Research Plan

The Council received a report from Dr Chris Rooper, of the NMFS Alaska Fisheries Science Center, on the Alaska Coral and Sponge Initiative that began this year. NOAA is sponsoring a three-year field research program in the Alaska region for deep sea coral and sponges, in order to better understand the location, distribution, ecosystem role, and status of deep sea coral and sponge habitats. Dr Rooper provided information on the eleven projects that are planned for the initiative, which include: developing a coral habitat map for the GOA and AI, and a geologically interpreted substrate map for Alaska; investigations of *Primnoa* corals in the Gulf of Alaska; estimation of the effects of commercial fixed gear fishing on coral and sponge using underwater cameras; and measurements of oxygen and pH and increased collections of coral and sponge specimens from the summer bottom trawl surveys. The Initiative is intended to result in management products that can be of utility to the Council, for example in the annual Ecosystem Assessment, the AI Fishery Ecosystem Plan, or the 2015 5-year EFH review. Further reports will be provided to the Council as fieldwork proceeds. Staff contact is Diana Evans.

## HAPC Skate Areas

The Council made an initial review of designating areas of skate egg concentration as Habitat Areas of Particular Concern (HAPC). The Council voted to expand the analysis and current suite of alternatives and options for initial review at a future meeting.

The analysis examines three action alternatives and five options for conservation and management: Alternative 1, status quo; Alternative 2, identify areas as HAPCs; and Alternative 3, identify and conserve areas of skate egg concentration as HAPCs. Under Alternative 3, the Council may choose to adopt any combination of gear use restrictions to prevent fishing activity that makes contact with the sea floor.

Under the Council's motion, Alternative 2 will include a discussion on potential industry and agency monitoring, reporting, and accountability mechanisms, and a statement of intent to discourage adverse fishing activities within the HAPC sites. Alternative 3 will be revised to include HAPC area boundaries consistent with the Enforcement Committee's recommendations. Option e will be reworded to suggest adding research and monitoring of areas of skate egg concentration to the annual research priority list.

The expanded analysis will also include a lengthier history of fishing activities in the proposed sites, discussion on the ability to minimize the areas closed to fishing while complying with enforcement requirements, an economic analysis of impacts on the proposed closure sites, including buffers, and the amount of actual bycatch of egg casings by gear type in each HAPC site, where known. The analysis will also incorporate recommendations and comments to the extent practicable from the SSC and Ecosystem and Enforcement Committees. Council staff is Sarah Melton.

## SSC

### Workshop

The SSC held a workshop on stock recruitment issues during this meeting. The key issues identified for discussion included: criteria for moving from Tier 3 to Tier 1 based on whether a spawner-recruit (SR) relationship was credible (and had a corresponding pdf for Fmsy), detecting regimes for when an SR relationship changed, estimation of an SR relationship within the assessment or outside, and how much weight to give the SR relationship if inside the assessment.

A series of presentations were given by stock assessment authors and other scientists. The SSC minutes contain a detailed summary of the various presentations as well as the discussion forum held afterwards. The SSC recommended a follow up workshop by members of the crab and groundfish plan teams as well as outside expertise to develop guidelines on how to address environmental changes in the SR relationship into biological reference points and how to model environmental forcing in stock projection models. The SSC also suggested that some Groundfish Plan Team members attend the May Crab Plan Team meeting to provide input into these recruitment issues as they relate to the Tanner crab rebuilding analysis. This workshop will ideally be held prior to the May CPT meeting. Further details on the workshop to be posted on the Council's website as available. Staff contact is Diana Stram.

## Pribilof Island Blue King Crab Rebuilding Plan

The Council reviewed several discussion papers regarding issues relative to the forthcoming Pribilof Island blue king crab (PIBKC) rebuilding plan analysis. The Council has reviewed iterations of this rebuilding plan analysis at multiple meetings, most recently at final action in October 2011, when the Council changed the range of rebuilding plan alternatives to include an option to Alternative 2, and a new Preliminary Preferred Alternative (PPA) that involves a year-round closure to the Pacific cod pot fishing in the Pribilof Island Habitat Conservation Zone and a prohibited species catch (PSC) limit that triggers a larger area closure to additional fisheries. At the December 2011 meeting, the Council was informed of some analytical changes to the qualified fisheries for the analysis as well as received in public comments some requests to consider additional elements in the analysis and suite of alternatives. As a result, the Council rescheduled final action on this document and requested that staff provide an update at this meeting on many of the elements discussed for inclusion in the analysis. The Council requested additional information on the following: the survey distribution of PIBKC in conjunction with observed bycatch; the boundaries of the State PIBKC registration district including rationale for the boundaries as well as the process by which registration areas can be modified, information on how a cap in numbers of crab vs. weight of crab is calculated; draft results of seasonal apportionment strategy; rollover mechanics of unused PIBKC PSC, increased observer coverage, whole haul sampling, seasonal apportionment of PIBKC PSC, and incorporation of discard mortality rates in in-season management; and any additional issues regarding qualified fisheries.

The Council revised their PPA at this meeting to include only the year-round closure of the PIHCZ to Pacific cod pot fishing (Alternative 2d) due to concerns about the appropriate PIBKC stock boundary and made some modifications to Alternative 6. The Council specifically added an option to Alternative 6 for seasonal allocations of the PSC cap. The Council clarified that final action for this analysis will now be scheduled for June 2012 in order to allow for further discussion by the Crab Plan Team and SSC on the appropriate stock boundary for PIBKC for the OFL prior to Council action. A discussion of the stock boundary and alternative methods to establish an OFL

(rather than based on average catch) will be provided at the May CPT meeting in Anchorage to be held the week of May 9<sup>th</sup>. Recommendations by the CPT will be forwarded to the SSC for their review in June and final recommendations provided to the Council in conjunction with the final action on this analysis. The Council motion and current suite of alternatives are posted on the Council's website. Staff contact is Diana Stram.

## Tanner Crab Rebuilding Plan and workshop

The Council was informed of progress on the development of an Aleutian Islands golden king crab model and a Tanner crab stock assessment model following a NPFMC sponsored crab modeling workshop held in Seattle January 9-13<sup>th</sup>, 2012. Reports from the model workshop were reviewed by the SSC and are posted on the Council's website. The CPT will review the Tanner crab model at the May CPT meeting in Anchorage. Discussions of the use of the model for assessment purposes in the 2012/13 cycle will be held as well as the intent to use the model for projections of rebuilding for the forthcoming Tanner crab rebuilding plan. The Council will review alternatives for the Tanner crab rebuilding plan in June with initial review scheduled for October 2012. Staff contact is Diana Stram.

## Observer restructuring

Under several agenda items, the Council discussed the interrelationship of approved and proposed Council management measures (for example, GOA tanner crab area closures and Pribilof Islands blue king crab area closures) with the restructured observer program that is in the process of being implemented. The Council noted that NMFS will be providing a report at the April Council meeting on the process that will be undertaken, annually, to develop a deployment plan for observer coverage for fisheries that fall into the less than 100% coverage category. The Council requested that the report include a discussion of how the Council might express priorities for observer coverage in geographically designated areas, as well as for specific gear types or seasons.

## GOA Trawl Sweeps

At the February 2012 meeting, the Council released for public review an analysis evaluating the requirement for elevating devices on nonpelagic trawl sweeps for vessels targeting flatfish in the Central Gulf of Alaska. The purpose of the action is to reduce unobserved crab mortality in the Central Gulf of Alaska from the potential adverse effects of nonpelagic trawl gear used for flatfish fishing. The Council initiated this action in conjunction with final action on the GOA Tanner crab PSC measures, which created area closures around Kodiak to protect Tanner crab.

The proposed action would be to combine a gear and performance standard to raise the elevated section of the sweep at least 2.5 inches, measured next to the elevating device. To achieve this performance standard, elevating devices would be required along the entire length of the elevated section of the sweep. To allow for some flexibility around the requirement, there would be two possible sweep configurations that meet the performance standard. In the first configuration, elevating devices that are spaced up to 65 feet apart must have a minimum clearance height of 2.5 inches when measured next to the elevating device. In the second configuration, the elevating devices may be spaced up to 95 feet apart, but they must have a minimum clearance height of 3.5 inches when measured next to the elevating device. In either case, the minimum spacing of the elevated devices is no less than 30 feet.

The Council also added a new element to the analysis, based on the experience in the BS flatfish fisheries using modified trawl sweeps. The proposed action would extend slightly the exempted area on the net bridles and door bridles from 180' to 185' to accommodate hammerlocks attached to net and door bridles. This change would apply to both the BS and the Central GOA.

Final action is currently scheduled for April Council meeting. Staff contact is Jon McCracken.

## Bristol Bay Red King Crab EFH

The Council reviewed an expanded discussion paper on issues that were raised by the Crab Plan Team during the 2010 EFH 5-year review, about the effects of fishing on crab habitat. The discussion paper addressed both general issues about the methodology used to determine the effects of fishing, as well as specific concerns about red king crab and the need to protect mature females in southwestern Bristol Bay. The Council directed staff to expand the discussion paper to consider the broad context of recruitment and protection of red king crab throughout its distribution, including the efficacy of existing closures for minimizing bycatch, especially in cold versus warm years. The Committee recommends that the discussion paper include conceptual management approaches the Council might want to consider to address potential risks to crab recruitment in cold versus warm years. The paper should include options for dynamic management in response to projections of whether the coming year will be cold or warm, or other measures, such as differential bycatch controls to protect female crab, or seasonal closures. The discussion paper should also address the ability of industry to respond to adaptive management measures outside of a strictly regulatory environment. The paper will also incorporate the results of a planned 2012 nearshore survey for red king crab, to occur this summer. Staff contact is Diana Evans.



Testifiers during the Council meeting on Halibut PSC.

## Bering Sea Flatfish Specifications Flexibility

The Council reviewed a staff discussion paper concerning the development of a flexibility mechanism that would allow Amendment 80 cooperatives and CDQ groups to harvest individually allocated flatfish (rock sole, flathead sole, and yellowfin sole) in excess of their species-specific allocations, provided those harvests can be maintained below the species-specific acceptable biological catch (ABC), and within an aggregate total catch assigned to those species. The Council postponed consideration of whether to develop an analysis of such a flexibility mechanism until after it receives the reports of the Amendment 80 cooperatives (which will be presented to the Council at the April meeting). The Council also directed staff to continue to work with agency staff and industry to develop a workable mechanism that achieves the desired flexibility while meeting management goals. Staff contact is Diana Evans.

## Upcoming Meetings

### Charter Management

#### Implementation Committee:

February 22, 10 am Anchorage  
Old Federal Building (605 West  
4<sup>th</sup>) and March 27 4-7 pm,  
Anchorage Hilton.

#### Statewide teleconference on

Chum salmon bycatch analysis:  
February 24<sup>th</sup>, 9-11 AM. 877-214-  
2906 Participant Pin: 1214

#### Scallop Plan Team meeting:

February 27<sup>th</sup>, 2012 9am-5pm.  
Old Federal Building, Anchorage.

#### Joint Protocol Committee March

19 - Hilton, Aleutian Room, 9-4.

#### IFQ Implementation Committee

March 25 or 26 (T), Anchorage  
Hilton

#### Halibut Workshop: April 24-25,

2012 at Crowne Plaza Hotel,  
downtown Seattle

#### Joint Groundfish Plan Team

Meeting to recommend Pacific  
cod models: May 1, 2012 AFSC  
and teleconference

#### Crab Plan Team meeting: May

7-10, 2012 Anchorage, AK  
(location TBD)

## Protected Species Report

The Council received a report regarding a draft Memorandum of Understanding between the U.S Fish and Wildlife Service (FWS) and NMFS to conserve migratory birds. The MOU contains several provisions that are designed to reduce bycatch-related injury to migratory birds, and emphasizes the need for NMFS and FWS to work with the Councils to incorporate seabird bycatch reduction measures in FMPs. Comments on the draft MOU are due on April 13, 2012.

The Council also received a brief report on a draft Environmental Assessment from the FWS Pacific Region evaluating an application from NMFS Pacific Islands Region for a Migratory Bird Treaty Act permit to authorize takes of Laysan Albatross, Black-footed Albatross, Sooty Shearwater, Northern Fulmar, and Short-tailed Albatross in the shallow-set longline fishery. If authorized, this permit would be the first issued under Special Purpose permitting regulations. Neither the FWS or NMFS anticipates that these sorts of permits will be required in federally managed fisheries in the GOA, BSAI, or Arctic in the near future. Council staff continues to monitor this process and will inform the Council of any new developments.

On January 9, 2012, the Alaska Region of NMFS received a Supplemental Biological Opinion from NMFS Northwest Region regarding authorization of the GOA groundfish fisheries and their potential impacts on ESA-listed Chinook salmon. The Northwest Region concluded that GOA groundfish fisheries are not likely to jeopardize the continued existence of either the Upper Willamette River or Lower Columbia River Chinook salmon Evolutionary Significant Units (ESUs), nor are they likely to affect designated critical habitat for either ESU. Therefore, NMFS reaffirmed the provisions of the Incidental Take Statement in the 2007 Supplementary BiOp, including a bycatch limit of 40,000 Chinook salmon in the GOA groundfish fisheries.

NMFS has extended the deadline for the final decision regarding ESA listing of four subspecies of ringed seal and two Distinct Population Segments (DPSs) of bearded seals. The new deadline is June 10, 2012.

NMFS Alaska Fisheries Science Center announced the 2011 abundance estimates for the endangered

Cook Inlet beluga whale population is 284 animals, almost 20% lower than the 2010 estimate of 340. However, the 2011 estimate stays within the range of the ten-year population trend for Cook Inlet belugas, which shows an annual decline of 1.1 percent.

The 12-month finding on the petition to delist the Eastern DPS of Steller sea lions, originally due on 8/31/2011, is not yet complete. NMFS reports that they are continuing to work toward completion of the draft Status Review, with an anticipated publication date of sometime in March.

The Council also received a report about the State of Alaska et al. lawsuit against NMFS et al. regarding the BSAI groundfish FMP Biological Opinion. Judge Burgess found that NMFS did not comply with NEPA standards in developing an Environmental Assessment and Finding of No Significant Impact rather than an Environmental Impact Statement (EIS) evaluating the impacts of their Reasonable and Prudent Alternative. Judge Burgess, however, allowed the Biological Opinion and Interim Final Rule to stand. Parties in the lawsuit have until February 8 to provide additional briefs to the Court before Judge Burgess decides on a remedy. The Council also received a draft timeline for development of an EIS from NMFS staff. The Council expressed to NMFS their desire to remain "meaningfully" involved in the process to develop an EIS and encouraged NMFS to work with the Council and the Mitigation Committee as the process unfolds.

The Council approved the Statement of Work (SoW) Terms of Reference (ToR) for a Center for Independent Experts (CIE) review of the 2010 Final Biological Opinion of the BSAI groundfish FMP. The ToR were drafted cooperatively at a meeting on November 8, 2011 by representatives of NMFS, the Council, and the states of AK and WA. The SoW and ToR result in production of a report with two chapters: (1) a CIE desk review of the Final BiOp using data and materials available to NMFS as of the close of public comment (9/3/2010), and (2) a review of the BiOp following a one-day public panel, including public testimony and information available to NMFS after publication of the Final BiOp. NMFS reported that any CIE SoW and ToR would need to be reviewed by their office of Science and Technology, and that the Council would be informed of any suggested changes to the SoW and ToR before the CIE contract was finalized. Staff contact is Steve MacLean.

## Crab EDR

The Council selected a preferred alternative to modify the crab fishery economic data reports (crab EDR). The Council's purpose and need statement – adopted at its April 2011 meeting – states that the action is intended to address data inaccuracies, redundancy of the crab EDR with other data collections, and the cost and burden of the program. The Council's action made several modifications to the program, eliminating data elements that could be estimated with data from existing sources (such as fishing time, which can be estimated from fish tickets and landing reports). The Council elected to continue the collection of captain and crew compensation data, but elected not to expand the collection by requiring the submission of crew contracts and settlement sheets, as that

requirement could be very costly and could pose certain confidentiality risks. Although the Council eliminated the collection of several cost items due to challenges associated with submitting accurate data, the Council elected to require the submission of fuel use and bait and food and provision costs by vessels and processing labor costs. In addition, the Council elected to maintain collection of landings revenues by IFQ share type and product revenue data to provide information concerning markets that are unavailable from other sources. The Council also focused the collection of leasing data on arm's length monetary transactions and expanded the collection of custom processing data to improve the information collected on lease values and expanded the collection of. The Council

also elected to maintain blind formatting of the EDR data, which is intended to protect confidentiality of submitters. Under the program, a third party manages EDR data, providing it to analysts in a format that does not reveal the submitters' identities. The Council specifically requested that the analysis of the removal of blind formatting examine the potential for inadvertent releases of data that could arise as a result of the distribution to analysts of data identifying the submitter. The Council also requested the opportunity to review forms developed to implement the data collection (and any future revisions to those forms) to ensure that the forms collect data consistent with the Council's intent. Staff contact is Mark Fina.

## Groundfish PSEIS

At the February meeting, the Council considered a discussion paper providing an annual review of its groundfish management policy, and the status of implementation of that policy. The groundfish management policy was adopted by the Council in 2004, following the comprehensive review of the fisheries in the Alaska Groundfish Fisheries Programmatic SEIS (PSEIS). The paper also discussed the factors that may influence the timing of and process for when the Council may wish to supplement or revise the 2004 Groundfish PSEIS. The Council asked NMFS to provide some examples of how an updated PSEIS could address efficiencies in our analytical or regulatory process, and requested that the SSC provide scientific guidance on the continued relevance of the analysis in the 2004 Groundfish PSEIS. **The Council also requests stakeholder input on whether the existing groundfish management objectives continue to be relevant, or are in need of revision.** To that end, the Council endorsed holding a stakeholder listening session during an evening of the April Council meeting, and accepting written comments from those that cannot attend that meeting. The stakeholder input will be compiled in a report to the Council, who will review stakeholder and SSC input at their June meeting. A flyer announcing the listening session is attached to this newsletter. Staff contact is Diana Evans.

**DRAFT NPFMC THREE-MEETING OUTLOOK - updated 2/13/12**

March 26 - April 3, 2012 Anchorage, AK	June 4 - 12, 2012 Kodiak, AK	October 1-9, 2012 Anchorage, AK
AFA Pollock Cooperative and IPA Reports Amendment 80 Cooperative Reports CGOA Rockfish Cooperative Reports SSL: <b>Review Notice of Intent</b> EFH Consultation Process: <b>Update</b> SOPP: <b>Review and Approve</b> Observer Program: <b>Update</b> Halibut CSP: <b>Review and action as necessary</b> Halibut Area 4B Fish-up: <b>Final Action</b> Joint Protocol Committee: <b>Report</b> GOA Pacific cod A-season opening dates: <b>Discussion paper</b> P.Cod Jig Management: <b>Revised Discussion Paper</b> Limit Other Gear on Jig Vessels: <b>Discussion Paper</b>  Northern Bering Sea Research: <b>Discussion paper</b>  BS Habitat Conservation Area Boundary: <b>Review</b>  BSAI Chum Salmon Bycatch: <b>Initial Review</b>  GOA Flatfish Trawl Sweep Modifications: <b>Final Action</b>  BSAI Crab ROFR Workgroup: <b>Report; action as necessary (T)</b>  Scallop SAFE: <b>Approve harvest specifications</b> BS Tanner crab model: <b>SSC review</b>  BSIERP Management Strategy Evaluation: <b>Report</b> Groundfish PSEIS: <b>Discuss schedule</b>  HAPC - Skate sites: <b>Initial Review</b>  VMS Use and Requirements: <b>Discussion paper</b>  PSEIS status review: <b>SSC only</b> Grenadiers: <b>Discussion paper (T)</b> GOA pollock EFP: <b>Review (T)</b>	Halibut workshop report: <b>Review</b>  GOA Halibut PSC: <b>Final Action</b> GOA comprehensive halibut bycatch amendments: <b>Disc paper</b> BSAI halibut PSC limit: <b>Discussion paper (T)</b>  Halibut/Sablefish IFQ Leasing prohibition: <b>Discussion paper</b> Halibut/sablefish IFQ changes: <b>Discussion paper (T)</b>  BSAI Greenland turbot allocation: <b>Discussion paper</b>  BSAI Crab Binding Arbitration - GKC: Workgroup report  Binding Arbitration Issues (lengthy season, publishing decisions, IPQ Initiation): <b>Discussion Paper</b>  Revise BS FLL GOA cod sideboards: <b>Discussion paper (T)</b> FLL Vessel Replacement: <b>Initial Review/ Final Action</b>  BSAI Flatfish specification flexibility: <b>Discussion Paper</b>  Crab Plan Team Report: <b>Set Catch Specifications for 4 stocks</b> Pribilof BKC Rebuilding Plan: <b>Final Action</b>  HAPC - Skate sites: <b>Final Action</b>  PSEIS: <b>Review comments &amp; reports; action as necessary</b> Total catch and ACLs: <b>Discussion paper - SSC only (T)</b>	SSL EIS scoping (T)   BSAI Chum Salmon Bycatch: <b>Final Action</b>  GOA Chinook Bycatch All Trawl Fisheries: <b>Initial Review (T)</b>   BSAI Crab active participation requirements: <b>Initial Review</b> BSAI Crab Cooperative Provisions for Crew : <b>Discussion paper</b>   AFA Vessel Replacement GOA Sideboards: <b>Initial Review (T)</b>  Groundfish Catch Specifications: <b>Adopt proposed specifications</b>  BSAI Tanner Crab rebuilding plan: <b>Initial Review</b>  <div style="background-color: yellow; text-align: center;"><b>ITEMS BELOW FOR FUTURE MEETINGS</b></div> Crab PSC numbers to weight: Discussion paper Crab bycatch limits in BSAI groundfish fisheries: Disc paper AI P.cod Processing Sideboards: Initial Review BBRKC spawning area/fishery effects: Updated Disc paper (Dec) MPA Nominations: Discuss and consider nominations

AI - Aleutian Islands  
 AFA - American Fisheries Act  
 BiOp - Biological Opinion  
 BSAI - Bering Sea and Aleutian Islands  
 BKC - Blue King Crab  
 BOF - Board of Fisheries  
 CQE - Community Quota Entity  
 CDQ - Community Development Quota  
 EDR - Economic Data Reporting  
 EFP - Exempted Fishing Permit  
 EIS - Environmental Impact Statement  
 EFH - Essential Fish Habitat  
 FLL - Freezer longliners  
 GOA - Gulf of Alaska

GKC - Golden King Crab  
 GHl - Guideline Harvest Level  
 HAPC - Habitat Areas of Particular Concern  
 IFQ - Individual Fishing Quota  
 IBQ - Individual Bycatch Quota  
 MPA - Marine Protected Area  
 PSEIS - Programmatic Supplemental Impact Statement  
 PSC - Prohibited Species Catch  
 RKC - Red King Crab  
 ROFR - Right of First Refusal  
 SSC - Scientific and Statistical Committee  
 SAFE - Stock Assessment and Fishery Evaluation  
 SSL - Steller Sea Lion  
 TAC - Total Allowable Catch

**Future Meeting Dates and Locations**  
 March 26-April 3, 2012 - Hilton Hotel, Anchorage  
 June 4-12, 2012 - Best Western, Kodiak  
 October 1-9, 2012 - Hilton Hotel, Anchorage  
 December 3-11, 2012 - Anchorage  
 February 4-12, 2013, Portland  
 April 1-9, 2013, Anchorage  
 June 3-11, 2013, Juneau  
 September 30-Oct 8, 2013 Anchorage  
 December 9-17, 2013, Anchorage

**(T) Tentatively scheduled**



# The North Pacific Fishery Management Council is evaluating its Groundfish Programmatic SEIS



The Council developed its current groundfish management policy in 2004, following a comprehensive review of the BSAI and GOA groundfish fisheries. The Alaska Groundfish Fisheries Programmatic Supplemental Environmental Impact Statement (PSEIS) evaluated the cumulative changes in the management of the groundfish fisheries since the implementation of the Fishery Management Plans (FMPs) around 1980, and considered a broad array of policy-level, programmatic alternatives. On the basis of the analysis, the Council adopted a management approach statement, and 9 policy goal statements, with 45 accompanying objectives.

The Council is considering whether the time is right to revise the 2004 Groundfish PSEIS. The decision will take into account many different factors, but one important element is whether the Council wants to change the objectives, policy statements, or overall management approach for the groundfish fisheries. Consequently, **the Council is asking for stakeholder input on the following questions:**

- Are the Council's current groundfish management approach, policy goal statements, and objectives still relevant?
- How is the Council doing relative to achieving its groundfish management objectives?
- Are there new objectives that ought to become part of the groundfish management policy?

## OPPORTUNITIES FOR PUBLIC INPUT

A stakeholder listening session will be held Thursday evening during the April Council meeting. Members of the public will have an opportunity to provide any comments, which will be compiled by staff and presented to the Council in a report at the June Council meeting. The session will be:

5:30-8pm, Thursday, March 29, 2012, in the AP room at the Hilton Hotel, Anchorage, AK

You may also submit written comments to the Council, which will be included in the report. Written comments must be received at the Council office before 5pm on May 1st. Send letters by mail or fax (see below), or email to [npfmc.comment@noaa.gov](mailto:npfmc.comment@noaa.gov). If submitting comment by email, please include PSEIS in the subject line.

The Council's groundfish management approach, policy goal statements, and specific objectives are posted on the Council website, along with the discussion paper on this issue that was presented to the Council in February 2012. More information will be posted on the Council website a week before the listening session.

[www.alaskafisheries.noaa.gov/npfmc/public-meetings/committees-related-meetings.html](http://www.alaskafisheries.noaa.gov/npfmc/public-meetings/committees-related-meetings.html)